



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## A G E N D A

AUGUST 27, 2007

*Commissioner Joe Ford, Chairman  
Commissioner David Lillard, Chairman Pro Tempore  
Commissioner Joyce Avery  
Commissioner Henri E. Brooks  
Commissioner Wyatt Bunker  
Commissioner Mike Carpenter  
Commissioner Sidney Chism*

*Commissioner George Flinn  
Commissioner J.W. Gibson II  
Commissioner James Harvey  
Commissioner Deidre Malone  
Commissioner Steve Mulroy  
Commissioner Mike Ritz*

10/16/2007 11:29 AM

2:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff Sammy Jones

INVOCATION Elder Willie Woody  
True Bibleway Church

PLEDGE OF ALLEGIANCE

ROLL CALL

### Approval of Minutes of Previous Session

## C O N S E N T A G E N D A

### Resolutions of Memorial, Sympathy and Commendation

- FORD  
(DEFERRED  
TO 9/10/07)
1. Resolution to honor Mr. John T. Fowlkes, Jr. for exemplary service to the citizens of Shelby County.

### Ordinances

- BROOKS  
(REMOVED  
TO REGULAR  
AGENDA)  
APPROVED
2. ORDINANCE – FIRST READING - Ordinance creating the Land Bank Department for the efficient oversight of properties obtained by Shelby County Government in the Core City area. This ordinance is sponsored by Commissioner Brooks.

### Zoning and Subdivisions

**RITZ  
ADOPTED  
(A-C)**

3. Resolution approving various subdivision contracts, plats, extensions, etc. as recommended by the County Engineer.
  - a) Resolution to approve the plat for Avilla Subdivision (S 07-009 CO) and authorize the recording of the plat.
  - b) Resolution to approve the plat for Berretta Subdivision (S 07-017 CO) and authorize the recording of the plat.
  - c) Resolution to release the bond that secured the improvements to Curtman Glenn PD (PD 05-321 CC)

**Reports and/or Resolutions for Standing Committees**

**MALONE  
ADOPTED**

4. Resolution to receive and file the Trustee's annual financial report for the year ended June 30, 2007, in accordance with Tennessee Code Annotated, Section 67-5-1902. Sponsored by Commissioner Deidre Malone.

**MALONE  
ADOPTED**

5. Resolution to receive and file the Trustee's annual report of delinquent and insolvent taxpayers in accordance with Tennessee Code Annotated, Section 67-5-1903, and to authorize credit be given to the Trustee. Sponsored by Commissioner Deidre Malone.

**MALONE  
ADOPTED**

6. Resolution approving expenditures not to exceed \$187,500.00 for the relocation and renovation of the Shelby County Register's office, appropriating funds in the amount of \$187,500.00 from the FY 2007/2008 Budget for CIP Project No. 101710, Office Buildings. Sponsored by Commissioner Deidre Malone.

**AVERY  
ADOPTED**

7. Resolution requesting approval to amend the Memphis and Shelby County Health Department FY 2007/2008 Operating Budget and to appropriate funds in the amount of \$13,060.00 carried forward from FY 2006/2007 in the LeBonheur Community Outreach, formerly contracting as Methodist Healthcare Foundation, Memphis Adolescent Young Adult HIV Program.

**AVERY  
(REMOVED  
TO REGULAR  
AGENDA)  
ADOPTED**

8. Resolution authorizing the expenditure of funds to Motorola, Inc., in the amount of \$80,144.60 for the purchase of twenty quantity 800 MHz radios under state contract SWC420 for the Memphis and Shelby County Health Department's Bioterrorism Emergency Preparedness Service Program.

**CHISM  
(DEFERRED  
TO 09/10/07)**

9. Resolution appropriating narcotics funds in the amount of \$548,174.00 for the construction of the Shelby County Sheriff's Office Narcotics Dog Kennel and approving a contract with Descon, Inc., in the amount of \$498,340.00.

**CHISM  
ADOPTED**

10. Resolution approving a contract and appropriating funds in an amount not to exceed \$250,000.00 with Barge Waggoner Sumner & Cannon, Inc., and Barber McMurray Architects for master planning consulting services, and this item requires expenditure of county

general funds in an amount not to exceed \$250,000.00.  
Sponsored by Commissioner Sidney Chism.

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|---|---|
| <b>BUNKER<br/>(DEFERRED<br/>TO 09/10/07)</b>                      | 11. <b>Joint Resolution of the Shelby County Board of Commissioners, the Shelby County Board of Education, and the Board of Education of Memphis City Schools.</b>  |
| <b>FLINN<br/>(REMOVED<br/>TO REGULAR<br/>AGENDA)<br/>ADOPTED</b>  | 12. <b>Resolution amending the FY 2008 Aging Commission's Program Budget and authorizing the Division of Community Services to accept \$934,000.00 in grant funds from the grant agreements with the Tennessee Commission on Aging and Disability for fiscal years 2006/2007 through 2007/2008.</b>                                       |
| <b>FLINN<br/>(REMOVED<br/>TO REGULAR<br/>AGENDA)<br/>ADOPTED</b>  | 13. <b>Resolution to approve grant agreement with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$285,818.00 to provide substance abuse services for chronically homeless individuals and to amend the FY 2008 Shelby County Operating Budget.</b>  |
| <b>GIBSON<br/>(REMOVED<br/>TO REGULAR<br/>AGENDA)<br/>ADOPTED</b> | 14. <b>Resolution approving the transfer of title of five parcels of Homestead Program property pursuant to Tennessee Code Annotated, Sections 7-66-101 to 7-66-111 and Resolution No. 24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Shelby County Homestead Program.</b> |
| <b>BROOKS<br/>(REMOVED<br/>TO REGULAR<br/>AGENDA)<br/>ADOPTED</b> | 15. <b>Resolution to provide goals for Core City Neighborhoods and Housing as a standing committee of the Board of County Commissioners of Shelby County, Tennessee. Sponsored by Commissioner Henri Brooks.</b>  |

<b>MALONE ADOPTED</b>	<b>CONSENT AGENDA</b>
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***REGULAR AGENDA***

**Elections, Appointments, and Confirmations**

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| <b>BROOKS<br/>ADOPTED</b> | 16. <b>Resolution appointing Commissioner Mike Ritz to the Needs Assessment Committee.</b>   |
| <b>BROOKS<br/>ADOPTED</b> | 17. <b>Resolution approving Jim Huntzicker as Chief Administrative Officer of Shelby County, Tennessee. This resolution is sponsored by Commissioner Henri Brooks.</b> |

**Ordinances**

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| RITZ<br>APPROVED | 18. <b><u>ORDINANCE – SECOND READING</u></b> – Ordinance repealing Ordinance No. 81 relative to regulating and licensing sexually oriented businesses, and adopting the state Adult-Oriented Establishment Registration Act of 1998 in Shelby County.  |
| CHISM<br>ADOPTED | 19. <b><u>ORDINANCE – THIRD READING</u></b> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-74 relative to procedure upon approach of authorized emergency vehicles.   |
| CHISM<br>ADOPTED | 20. <b><u>ORDINANCE – THIRD READING</u></b> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article I, Section 20-22 relative to child passenger safety responsibility.  |
| CHISM<br>ADOPTED | 21. <b><u>ORDINANCE – THIRD READING</u></b> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-50 relative to off-highway motor vehicles.   |
| CHISM<br>ADOPTED | 22. <b><u>ORDINANCE – THIRD READING</u></b> – An ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-37 relative to compliance with Tennessee’s financial responsibility law of 1977.   |
| RITZ<br>ADOPTED  | 23. <b><u>ORDINANCE - THIRD READING</u></b> – Ordinance setting a term limit for the appointment of members to Shelby County boards, authorities, and commissions and county appointees to joint city/county entities of two consecutive terms or ten consecutive years whichever is longer. |

**Zoning and Subdivisions**

**Reports and/or Resolutions for Standing Committees**

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|-------------------------------------|---|
| BUNKER<br>(DEFERRED<br>TO 09/24/07) | 24.    Resolution to establish a debt service account on deposit with the Shelby County Trustee.  |
| MALONE<br>ADOPTED                   | 25.    Resolution amending the FY 2007/2008 Operating Budget and position control budget of the Juvenile Court of Memphis and Shelby County.      |
| MALONE<br>ADOPTED                   | 26.    Resolution to amend the general fund budget for the Fiscal Year 2008 to eliminate one position and the related budget from Juvenile Court. |

<b>MULROY ADOPTED</b>	<b>27.</b>	<b>Resolution encouraging the Memphis and Shelby County Juvenile Court to create a temporary/contract position for purposes of public outreach, education and advocacy for the citizens of Memphis and Shelby County. Sponsored by Commissioner Steve Mulroy.</b>
<b>BROOKS ADOPTED</b>	<b>28.</b>	<b>Resolution to amend Resolution No. 32B dated June 11, 2007, to correct Premium-Retirees' share schedule to put retirees with 20 years of service in the first bracket (30%), which is consistent with the previous schedule, and to provide a phase-in for current retirees. Sponsored by Commissioner Joe Ford.</b>
<b>MALONE WITHDRAWN</b>	<b>29.</b>	<b>Resolution to approve changes to life insurance benefits provided to employees and retirees.</b>
<b>FLINN ADOPTED AS AMENDED</b>	<b>30.</b>	<b>Resolution approving the contract between Shelby County Government and Porter Leath Children's Center for the provision of Head Start services for 460 children for the period July 1, 2007 through June 30, 2009. Resolution amends the FY 2008 Operating Budget and the FY 2008 personnel complement.</b>
<b>HARVEY (DEFERRED TO 09/10/07)</b>	<b>31.</b>	<b>Resolution amending the FY 2008 Operating Budget by approving the transfer of funds in the amount of \$500,000.00 from Commissioner Contingency Funds for appropriation by Shelby County Government to Lemoyne Owen College and amending Resolution No. 67 adopted on June 23, 2003, for this purpose. Sponsored by Commissioner James Harvey.</b>
<b>MULROY ADOPTED</b>	<b>32.</b>	<b>Resolution supporting the preservation and restoration of the Grand Carousel and Zippin Pippin Rollercoaster; awarding a grant in the amount of \$15,000.00 to Memphis Heritage for the purpose of conducting an economic and engineering feasibility study; pledging to match any monetary commitment made by the City of Memphis for the preservation, restoration, or movement for the Zippin Pippin up to \$100,000.00 from Commissioner Contingency Funds by encumbering said funds; and amending Resolution No. 67, adopted June 23, 2003. Sponsored by Commissioner Steve Mulroy.</b>
<b>BROOKS ADOPTED</b>	<b>33.</b>	<b>Resolution committing financial support to the Memphis and Shelby County Music Commission and amending the FY 2008 Operating Budget by transferring funds in the amount of \$50,000.00 from Commissioner Contingency funds for appropriation to the Memphis and Shelby County Music Commission to support efforts enhancing the music industry. Sponsored by Commissioner Henri Brooks.</b>

**MALONE  
ADOPTED**

34. Resolution transferring and appropriating Commissioner Contingency funds in the amount of \$50,000.00 to Friends of the Levitt Pavilion for the renovation of the Levitt Pavilion for the Performing Arts at the Overton Park Shell and amending Resolution No. 67, adopted June 23, 2003. Sponsored by Commissioner Deidre Malone.

**BROOKS  
ADOPTED**

35. Resolution of the Shelby County Board of Commissioners to broaden and further define the functions of the Office of Equal Opportunity Compliance as established in Section 5.13 of the Shelby County Charter so as to provide for a Chief Diversity Officer and define his/her responsibilities.

**BUNKER  
ADOPTED**

- 35A. Resolution approving forms for the Shelby County Ethics Commission.

**MALONE  
ADOPTED**

- 35B. Resolution amending the FY 2008 Operating Budget by transferring funds in the amount of \$5,500.00 from Commissioners' Contingency Fund for appropriating for the purchase of emergency resources during the current heat crisis.

**MALONE  
ADOPTED**

- 35C. A resolution approving a contract in the amount of \$3,971,915.00 with the United Way of the Midsouth for provision of administrative services in amount of \$143,000.00 and funding the healthcare service provider for core medical and support services in the amount of \$3,828,915.00 consistent with the notice of grant award requirements under the federal Ryan White Part A grant program. This item requires expenditure of pass through grant funds under the Ryan White Part A grant program in the amount of \$3,971,915.00 and to amend the FY 2007/2008 Operating Budget. Sponsored by Commissioner Joyce Avery.

**MALONE  
ADOPTED**

- 35D. Resolution recommending the purchase of SIRE Technology's document management system and Granicus' voting system for the Shelby County Board of Commission and directing the County Purchasing Administrator to develop a contract for consideration at the September 10, 2007 Commission Meeting and transferring the necessary funding from Commissioners' Contingency Fund.

#### **Announcements/Statements**

#### **Adjournment**

**LILLARD  
ADOPTED**

36. Resolution of Adjournment to Monday, September 10, 2007, at 2:30 p.m.

**[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]**